

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Writ Petition No. 15974 of 1999
Date of decision: March 7, 2007.

Pirithi Singh

.....Petitioner.

Vs.

State of Haryana and others

.....Respondents.

Present: Mr. Bhajan Singh Sodhi, Advocate for petitioner.

Mr. Jitendra Chauhan, Addl. Advocate General, Haryana
for the respondents-State.

JUDGMENT

M.M.Aggarwal, J.

Petitioner was working as Peon in the Education Department, Haryana. He had joined service on 28.11.1963. Then he was involved in a murder case and FIR was registered and he was suspended on 4.11.1987. His normal date of retirement was 31.1.1988. He is stated to have been convicted on 7.9.1988 and then was released from jail on 5.11.1998 after completing the sentence.

This petition was filed for issuance of directions to the respondents to release pension and pensionary benefits to the petitioner for the period he had served the respondent-department.

According to the petitioner, he had served the respondent-department for the period of 24 years 2 months and 4 days .

On behalf of the State, a letter written by Accountant General (A&E) Haryana has been produced showing that the State had initiated the steps for fixing and releasing pension to the petitioner for the period he served but the Accountant General had returned the same with a request to the respondent-State for taking decision as far as suspension period was concerned since there was no entry in the service book for that period.

After hearing counsel for the parties, this petition is disposed of with directions to the respondents that let State Government clarify to the Accountant General, Haryana about suspension period of the petitioner within one month, failing which the suspension period be not treated as the period served and petitioner be treated to have served respondent-department from 28.11.1963 to 3.11.1987 and his pension and whatever other benefits he is entitled to, be fixed.

Since this petition was filed in the year 1999, the State Government shall be liable to pay interest at the rate of 6% per annum from the year 1999 till the date of payment on the arrears of pension and other retiral benefits whatever admissible.

Let needful be done expeditiously, within a period of three months, as petitioner is stated to be an old man of more than 75 years of age.

March 7, 2007
raghav

(M.M.Aggarwal)
Judge

